

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

**VICKY MONTGOMERY, individually; as
the natural mother and next friend of K.S.;
and as the natural maternal grandmother
and next friend of B.E.S., I.N.S., and
A.D.W.**

Plaintiff,

v.

**STATE OF ALABAMA DEPARTMENT
OF HUMAN RESOURCES; VONDA
GILLIAM, individually and in her capacity
as an employee of the State of Alabama;
LEIGH ANN JACKSON, individually and
in her capacity as an employee of the State
of Alabama; and ANGELA MAYBERRY,
individually and in her capacity as an
employee of the State of Alabama,**

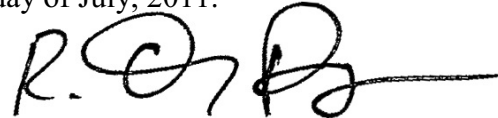
Defendants.

Case No.: 5:10-cv-0012-PWG

ORDER

In accordance with the Memorandum of Opinion this day entered, Defendants' motion to dismiss for lack of prosecution (Doc. #6) is **DENIED**. Defendants' other pending dispositive motion (Doc. #3) is **GRANTED IN PART** as it requests a more definite statement under Rule 12(e), and deemed **MOOT IN PART** to the extent it seeks a Rule 12(b)(6) dismissal.

DONE and ORDERED this _____ 1st _____ day of July, 2011.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE